

Message Text

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ACTION EUR-12

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FM USMISSION USBERLIN
TO SECSTATE WASHDC 6764
AMEMBASSY BONN
INFO AMEMBASSY BERLIN
:AMEMBASSY LONDON 9889
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION USNATO

C O N F I D E N T I A L SECTION 1 OF 2 USBERLIN 1049

E.O.11652: XGDS-1
TAGS: PGOV, BQG
SUBJECT: SOVIET PROTEST OVER DEUTSCHLAND LIED

SUMMARY: SOVIET EMBASSY IN EAST BERLIN HAS PROTESTED DISTRIBUTION TO SCHOOL CHILDREN OF TEXT OF DEUTSCHLAND LIED BY CHARLOTTENBURG DISTRICT COUNSELOR FOR EDUCATION. SEPARATE PROTESTS MADE TO U.S. MISSION ON APRIL ON BRITISH MISSION ON APRIL 28. BRITISH GAVE ON-THE-SPOT REPLY WHICH STATED THAT BRITISH MISSION WAS UNAWARE OF ANY ALLIED OR FEDERAL PROHIBITION AGAINST THE FIRST TWO VERSES OF DEUTSCHLAND LIED. END SUMMARY.

1. DURING CALL OF MISSION PROTOCOL OFFICER ON SOVIET EMBASSY FIRST SECRETARY TYUTYUNOV ON OTHER MATTERS ON APRIL 21, TYUTYUNOV BROUGHT UP ACCOUNTS IN WEST BERLIN PRESS (NEWSPAPERS FROM APRIL 19-21) CONCERNING INTENTION OF CHARLOTTENBURG DISTRICT COUNSELOR FOR EDUCATION HARTMUT ROESELER TO DISTRIBUTE 20,000 LEAFLETS WITH THE FULL TEXT OF THE DEUTSCHLAND LIED.

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2. SUBSEQUENTLY MISSION LEARNED THAT ROESELER WAS DISTRIBUTING COPIES AT HIS OWN EXPENSE TO ALL STUDENTS OF "FOURTH KLASSE" IN CHARLOTTENBURG.

3. TYUTYUNOV ALLEGED THAT ALLIED HAD PROHIBITED DISTRIBUTION OF THE TEXT SHORTLY AFTER THE WAR. LATER HE MODIFIED HIS

ASSERTION TO SUGGEST THAT ALLIES HAD PROHIBITED ONLY THE FIRST STANZA WHICH REFERS TO GERMANY EXTENDING "FROM THE MASS TO THE MEMEL." MISSION OFFICER REPLIED THAT WHILE HE WAS UNINFORMED ON THE MATTER, IF CHARLOTTENBURG WAS THE DISTRICT INVOLVED, SURELY THE SOVIETS SOULD CONTACT THE BRITISH MISSION SINCE CHARLOTTENBURG LAY IN BRITISH SECTOR. TYUTYUNOV INDICATED THAT HE WOULD INDEED BE IN CONTACT WITH THE BRITISH AND PROCEEDED TO RAISE MATTER WITH BRITISH PROTOCOL OFFICER MARSHALL ON APRIL 28. BY THE TIME HE CALLED ON MARSHALL, TYUTYUNOV HAD CHANGED HIS STORY AND CLAIMED THAT THE FRG HAD DECREED IN 1952 THAT THE THIRD VERSE ALONE CONSTITUTED TEXT OF NATIONAL ANTHEM. TYUTYUNOV FURTHER ASSERTED THAT ROESELER WAS SEEKING TO REVIVE NAZI MEMORIES; THE SOVIETS LOOKED TO THE BRITISH TO TAKE THE NECESSARY MEASURES.

4. MARSHALL SAID HE KNEW OF NO ALLIED PROHIBITION, NOR WAS HE AWARE OF ANY FEDERAL LEGISLATION PROSCRIBING THE FIRST TWO VERSES OF THE DEUTSCHLAND LIED. IT WAS DIFFICULT TO UNDERSTAND WHAT THE RUSSIANS WERE SO UPSET ABOUT.

5. TYUTYUNOV CALLED THIS A NEGATIVE ATTITUDE. ROESSLER WAS DELIVERATELY SPREADING FASCIST PROPAGANDA IN THE FORM OF THE TEXT OF THE OFFICIALLY RECOGNIZED NAZI NATIONAL HYMN. NOT ONLY WERE THE BRITISH REFUSING TO TAKE ANY ACTION BUT, AS HE UNDERSTOOD MARSHALL, THEY SOUGHT TO SUPPORT ROESELER'S
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INTENTIONS. HE WOULD REPORT TO HIS AMBASSADOR ACCORDINGLY AND RESERVED THE FITHT TO REVERT TO THE MATTER IN DUE COURSE. MARSHALL REPEATED THAT THERE WERE NO GROUNDS FOR ANY ACTION ON PART OF BRITISH MISSION.

6. BRITISH MISSION HAS PROVIDED THE FOLLOWING COMMENTS BASED ON RESEARCH IN THEIR ARCHIVES:

BEGIN BRITISH COMMENT

WE CAN FIND NO ALLIED LEGISLATION BANNING THE NATIONAL ANTHEM (AS ALLEGED IN BZ OF APRIL 19). CONTROL COUNCIL LAW NO. 8 BANS UNIFORMS, ETC. AND QUOTE ALL SYMBOLIC MEANS OF EXPRESSING THE NAZI SPIRIT UNQUOTE, BUT AS THE OFFENDING WORDS WERE WRITTEN IN 1841, THIS HARDLY APPLIES. REGARDING THE SOVIET CLAIM THAT THE THIRD VERSE ALONE WAS DECREED AS THE NATIONAL ANTHEM IN 1952, WE HAVE UNEARTHED A COPY OF THE BUNDESANZEIGER OF MAY 8, 1952, IN WHICH THERE WAS AN EXCHANGE OF LETTERS BETWEEN ADENAUER AND HEUSS. HEUSS ACCEPTED ADENAUER'S SUGGESTION THAT THE HYMN SHOULD BE RECOGNIZED AS THE NATIONAL ANTHEM, BUT THAT ONLY THE THIRD

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VERSE SHOULD BE SUNG ON OFFICIAL OCCASIONS. HEUSS
SAID HE WAS AGAINST ANY OFFICIAL PROLCAMATION OF THE FACT.
THE GERMAN CRIMINAL CODE (ARTICLE 90A) MAKES IT
AN OFFENSE TO INSULT THE ANTHEM. ACCORDING TO THE DREHER
COMMENTARY, THIS MEANS ALL THREE VERSES. HE REFERS TO THE
HEUSS/ADENAUER EXCHANGE.

OUR CONCLUSION IS THAT WE HAVE NO LEGAL GROUNDS FOR
PREVENTING DISTRIBUTION OF THE WHOLE ANTHEM--AND HAVE NO
INTENTION OF DOING SO. THE RUSSIANS SHOW THEMSELVES
UNUSUALLY PETTY. SINCE THE FIRST VERSE SPEAKS OF A GERMANY
EXTENDING INTO NORTHERN ITALY, HOLLAND AND LITYUANIA, IT IS
HARDLY LIKELY THAT IT WILL BE TAKEN AS A LITERAL EXPRESSION OF
FACT, OR INDEED OF IMPERIALIST (IRREDENTIST?) ASPIRATIONS.
END BRITISH COMMENT.

7. FURTHER COVERAGE IN TAGESSPIEGEL OF APRIL 28AND 29
INDICATED THAT ROESELER'S ACTION AHD CAUSED CONSIDERABLE
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CONTROVERSY IN CHARLOTTENBURG

AND BERLIN CIRCLES. THE CHARLOTTENBURG TEACHERS' TRADE UNION HAS APPEALED FOR A TEMPORARY COURT INJUNCTION AGAINST ROESLER'S THREAT TO "DISCIPLINE" TEACHERS WHO DID NOT COMPLY WITH HIS WISHES TO HAVE LEAFLET DISTRIBUTED TO ALL FOURTH KLASSE STUDENTS. SPOKESMAN FOR CITY-WIDE EDUCATION DEPARTMENT NOTED THAT SENATOR FOR SCHOOLS RASCH BELIEVED ROESLER'S ACTION WAS PEDAGOGICALLY "VERY DAMAGING." FDP DEPUTY IN BERLIN HOUSE REPRESENTATIVES KUNZE BRANDED ROESLER'S ATTEMPT TO PRESENT THE FIRST STANZA OF DEUTSCHLAND LIED IN A POSITIVE LIGHT AS "POLITICALLY UNBEARABLE." KUNZE CALLED UPON AUTHORITIES IN BONN TO MAKE CRYSTAL CLEAR THAT "ONLY"THIRD STANZA WAS ACCEPTED AS TEXT FOR FRG NATIONAL ANTHEM.

8. ADVISORY COMMITTEE OF TEACHERS' TRADE UNION PROTESTED AGAINST THE LACK OF ANY COMMENTARY ACCOMPANYING TEXT IN LEAFLET LEAVING CLEAR IMPLICATION THAT SOME TEACHERS CONTINUE IN THEIR REFUSAL TO DISTRIBUTE THE LEAFLET.

9. COMMENT: ROESLER APPEARS TO HAVE GOTTER INTO DEEPER WATERS THAN HE HAD ANTICIPATED. THERE ARE A NUMBER OF REASONS WHY HE MAY HAVE CHOSEN TO PASS OUT THE TEEEXT OF THE NATIONAL ANTHEM AT THIS TIME, BUT WE WXPECT IT HAS SOMETHING TO DO WITH THE FACT THAT THERE IS A GREAT DEAL OF INTEREST IN BERLIN'S CDU AT THE PRESENT TIME FOR REAWAKENING A SENSE OF NATIONAL FERVOR, PARTICULARLY WITH AN EYE TOWARDS THE CELEGATION OF THE 25TH ANNIVERSARY OF THE EAST BERLIN UPRISING ON THE 17TH OF JUNE WHICH IS NOW RECOGNIZED AS THE "DAY OF NATIONAL UNITY." GEORGE

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